



General Assembly

January Session, 2005

Raised Bill No. 6808

LCO No. 3771

03771_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING DECISIONS OF ATTORNEY MAGISTRATES IN
CASES INVOLVING CERTAIN MOTOR VEHICLE VIOLATIONS AND
OTHER VIOLATIONS.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (d) of section 51-193u of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (a) Cases involving motor vehicle violations, excluding alleged
5 violations of sections 14-215, 14-222, 14-222a, 14-224 and 14-227a and
6 any other motor vehicle violation involving a possible term of
7 imprisonment, or any violation, as defined in section 53a-27, which are
8 scheduled for the entering of a plea may be handled by a magistrate.

9 (b) Infractions and violations designated in subsection (a) of this
10 section in which a plea of not guilty has been entered may be heard by
11 a magistrate. [Magistrates] A magistrate shall not have the authority to
12 conduct jury trials.

13 (c) [Magistrates] A magistrate shall have the authority to accept
14 pleas of guilty or of not guilty, to accept pleas of nolo contendere and

15 enter findings of guilty thereon, to impose fines, to set bonds, to forfeit
 16 bonds, to continue cases to a date certain, to enter nolle brought by
 17 the prosecutorial official, to recommend suspension under section 14-
 18 111b, 14-140 or 15-154, to order notices of intention to suspend motor
 19 vehicle licenses and registrations, to order issuance of a mittimus if a
 20 defendant has been found able to pay and fails to pay, to remit fines, to
 21 impose or waive fees and costs, to hear and decide motions, to dismiss
 22 cases and to decide cases that are tried before [him] such magistrate.

23 (d) A decision of [the] a magistrate, including any penalty imposed,
 24 shall become a judgment of the court. [if no demand for a trial de novo
 25 is filed. Such decision of the magistrate shall become null and void if a
 26 timely demand for a trial de novo is filed. A demand for a trial de novo
 27 shall be filed with the court clerk within five days of the date the
 28 decision was rendered by the magistrate and, if filed by the
 29 prosecutorial official, it shall include a certification that a copy thereof
 30 has been served on the defendant or his attorney, in accordance with
 31 the rules of court. No record of the proceedings shall be required to be
 32 kept.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	51-193u(d)

Statement of Purpose:

To eliminate the right of a person who has been found guilty of a motor vehicle violation or other violation before an attorney magistrate to demand a trial de novo before a judge of the Superior Court.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]